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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

YURIY REZNIKOV,

Defendant and Appellant.

B231620

(Los Angeles County
Super. Ct. No. SA068131)

APPEAL from a judgment of the Superior Court of Los Angeles County.
Lawrence J. Mira, Judge. Affirmed.

David W. German, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

Appellant Yuriy Reznikov appeals his conviction for one count of battery with serious bodily injury and one count of assault by means likely to produce great bodily injury. Appellant was found guilty by a jury on both counts. He was sentenced to four years in prison on each count, but the sentence for count two was stayed by the trial court. Appellant's appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), raising no issues. Appellant was notified by counsel that he may file his own brief and to date has not done so.

STATEMENT OF FACTS

Prosecution Case

Appellant and Natalya Nezhdanova-Verbovsk (Nezhdanova) had a tumultuous relationship for many years and at various times appellant was physically aggressive with Nezhdanova.

On February 10, 2008, appellant and Nezhdanova drove to look at a trailer in Malibu. Appellant then drove to Pacific Coast Highway and along Zuma Beach. As they drove near the beach, appellant became angry with Nezhdanova and started shouting at her and calling her names. When Nezhdanova started to cry appellant struck her hard in the face with his right hand, causing her to bleed. Although she was bleeding appellant continued to hit her, removed her sunglasses and threw them out of the car.

Appellant then drove to a McDonald's, bought a strawberry shake, which he ultimately poured over Nezhdanova's head. When the couple returned to appellant's home, she got into her car and drove towards her home. At some point she became aware appellant was following her, so she drove to a police station and filled out a report.

Later that evening Nezhdanova realized her tooth was wobbly. She went to her dentist the following day. After examining her teeth, the dentist told her that her tooth was broken. The tooth was eventually extracted.

A woman who had previously dated appellant testified at trial pursuant to Evidence Code section 1109. She said that appellant slapped her in the face on more than one occasion and used more force than that against her on at least one occasion.

Defense Case

Appellant testified that Nezhdanova was controlling and violent during their relationship. Appellant denied ever being violent with her.

On February 10, 2008, Nezhdanova became emotional after they left the trailer in Malibu as she realized that appellant no longer wanted to be with her.

As they drove towards the beach, she started scratching appellant's face with her nails. Nezhdanova continued to abuse him even though he asked her to stop scratching and hitting him. When appellant drove towards Zuma beach Nezhdanova had her head turned towards the passenger window the entire time they were near the beach. Because his seat was pushed back and she was facing the passenger window, appellant could not have struck her the way she described. He denied striking her.

Because the parking lot at the beach was full, appellant drove to McDonald's. He parked the car and went in to buy a strawberry shake. When he returned Nezhdanova was still in his car. They returned to appellant's house, changed cars and drove to Hollywood to pick up his mother. During the drive, appellant hit the brakes hard to stop for a light, and Nezhdanova, who was drinking the strawberry shake, spilled it on herself. Nezhdanova became infuriated and left appellant as soon as they returned to appellant's apartment. Appellant did not follow her.

DISCUSSION

Having reviewed the entire record, we are satisfied that counsel has fully complied with his responsibilities under *Wende* and no arguable issues exist.

DISPOSITION

The judgment is affirmed.

FLIER, J.

We concur:

BIGELOW, P. J.

GRIMES, J.